

TIMES AND SEASONS.

"Truth will prevail."

Vol. IV. No. 17.]

CITY OF NAUVOO, ILL. JULY 15, 1843.

[Whole No. 77]

TRIAL OF JOSEPH SMITH.

Continued.

PARLEY P. PRATT sworn. Says that he fully concurs in the testimony of the preceding witness, so far as he is acquainted with the same, and that Joseph Smith has not been known as Joseph Smith Junior, for the time stated by Hiram Smith. He was an eye-witness of most of the scenes testified to by said Hiram Smith, during the persecutions of our people in Missouri. That during the latter part of summer and fall of the year 1838, there were large bodies of the mob assembled in various places, for the avowed object of killing, driving, robbing, plundering and exterminating the Mormons, and actually committed many murders and other depredations, as related by the preceding witness. The Governor was frequently petitioned, as also the other authorities, for redress and protection. At length Austin A. King, the Judge of the Circuit Court of the Fifth Judicial District, ordered out somewhere near a thousand men for the avowed purpose of quelling the mob and protecting the Mormons. These being under arms for several weeks, did, in some measure, prevent the mob's proceedings for some time, after which, Judge King withdrew the force, refusing to put the State to further expense, for our protection, without orders from the Governor. The mobs then again collected in great numbers in Carroll, Davies, and Caldwell counties, and expressed their determination to drive the Mormons from the State or kill them. They did actually drive them from De Witt, firing upon some, and taking others prisoners. They turned a man by the name of Smith Humphrey and family out of doors, when sick, and plundered his house and burned it before his eyes. They also plundered the citizens generally, taking their lands, houses and property. Those whose lives were spared, precipitately fled to Far West in the utmost distress and consternation. Some of them actually died on the way, through exposure, suffering and destitution. Other parties of the mob were plundering and burning houses in Davies county; and another party of the mob were ravaging the south part of Caldwell county, in a similar manner. The Governor was again and again petitioned for redress and protection, but utterly refused to render us any assistance whatever. Under these painful and distressing circumstances, we had the advice of Generals Atchison, Doniphan and Parks,

to call out the Militia of Caldwell and Davies counties, which was mostly composed of Mormons, and to make a general defence. The presiding Judge of Caldwell county, Elias Higbee, gave orders to the Sheriff of said county to call out the Militia. They were called out under the command of Colonel Hinkle, who held a commission from the Governor, and was the highest military officer in the county. This force effectually dispersed the mob in several places, and a portion of them were so organized in the city of Far West, that they could assemble themselves upon the shortest notice, and were frequently ordered to assemble in the public square of said city, in cases of emergency. These proceedings against the mob being misrepresented by designing men, both to the Governor and other authorities and people of the State, caused great excitement against the Mormons. Many tried to have it understood that the Mormons were in open rebellion, and making war upon the State. With these pretences, Governor Boggs issued the following exterminating order:

HEAD QUARTERS OF THE MILITIA,
CITY OF JEFFERSON,
October 27th, 1838.

SIR—

Since the order of the morning to you, directing you to come with four hundred mounted men, to be raised within your Division, I have received, by Amos Rees, Esq., and Wiley C. Williams, Esq., one of my aids, information of the most appalling character, which changes entirely the face of things, and places the Mormons in the attitude of an avowed defiance of the Laws, and of having made war upon the people of the State. Your orders are therefore, to hasten your operations and endeavor to reach Richmond in Ray county, with all possible speed. The Mormons must be treated as enemies, and must be exterminated, or driven from the State, if necessary for the public peace.

Their outrages are beyond all description. If you can increase your force, you are authorized to do so, to any extent you may think necessary. I have just issued orders to Major General Wolloch of Marion county, to raise five hundred men and to march them to the northern part of Davies county and there to unite with General Doniphan of Clay—who has been ordered with five hundred men to proceed to the same point for the purpose of intercepting the retreat of the Mormons to the north. They have been directed to communicate with you by express. You can also communicate with them if you find it necessary. Instead therefore, of proceeding as at first directed, to reinstate the citizens of Davies in their houses, you will proceed immediately to Richmond, and there operate against the Mormons. Brigadier General Parks of Ray, has been ordered to have four hundred of his Brigade in readiness to join you at Richmond. The whole force will be placed under your command.

(Signed)

L. W. BOGGS,

Governor and Commander-in-Chief.

In the mean time, Major General Lucas, and Brigadier General Wilson, both of Jackson county, (who had, five years previously, assisted in driving about twelve hundred Mormon citizens from that county, besides burning two hundred and three houses, and assisting in murdering several, and plundering the rest,) raised forces to the amount of several thousand men,

however, we got an interview, by which we learned who they were, and that they pretended to have been sent by the Governor to exterminate our people. Upon learning this fact, no resistance was offered to their will or wishes. They demanded the arms of the Militia, and forcibly took them away. They requested that Mr. Joseph Smith and other leaders of the Church should come into their camp for consultation, giving them a sacred promise of protection and safe return. Accordingly Messrs Joseph Smith, Sidney Rigdon, Lyman Wight, George W. Robinson and myself, started in company with Colonel Hinkle, to their camp, when we were soon abruptly met by General Lucas with several hundreds of his soldiers, in a hostile manner, who immediately surrounded and appeared before the city of Far West in battle array. A few of the Militia then paraded in front of the city, which caused the cowardly assailants to come to a halt at about a mile distant, in full view of the town. A messenger arrived from them and demanded three persons before they massacred the rest and laid the town in ashes. The names of the persons demanded were Adam Lightner, John Clemenson and his wife. They gave no information who this army were, nor by what authority they came; neither had we at that time any knowledge of the Governor's order, nor any of these movements, the mail having been designedly stopped by our enemies, for three weeks previously. We had supposed on their first appearance, that they were friendly troops, sent for our protection; but on receiving this alarming information of their wicked intentions, we were much surprised, and sent a messenger with a white flag to enquire of them who they were, and what they wanted of us, and by whose authority they came. This flag was fired upon by Captain Bogard, the Methodist priest, who afterwards told me the same with his own mouth. After several attempts, us, and set up the most hideous yells that might have been supposed to have proceeded from the mouths of demons, and marched us, as prisoners, to their lines. There we were detained for two days and nights, and had to sleep on the ground in the cold month of November, in the midst of rain and mud—were continually surrounded with a strong guard, whose mouths were filled with cursing and bitterness, blackguardism and blasphemy; who offered us every abuse and insult in their power, both by night and day; and many individuals of the army cocked their rifles & taking deadly aim at our heads, swore they would shoot us. While under these circumstances, our ears were continually shocked with the relation of the horrid deeds they

had committed, and which they boasted of.— They related the circumstance in detail of having, the previous day, disarmed a certain man in his own house, and took him prisoner, and afterwards *beat out his brains with his own gun*, in presence of their officers. They told of other individuals saying here and there in the brush, whom they had shot down without resistance, and who were laying, unburied, for the hogs to feed upon. They also named one or two individual females of our society, whom they had forcibly bound, and twenty or thirty, one after another, committed rape upon. One of these females was a daughter of a respectable family, with whom I have been long acquainted, and with whom I have since conversed, and learned that it was truly the case. Delicacy at present forbids my mentioning the names. I also heard several of the soldiers acknowledge and boast of having stolen money in one place, clothing and bedding in another, and horses in another, whilst corn, pork, and beef, were taken by the whole army to support the men and horses; and in many cases cattle, hogs and sheep were shot down, and only a small portion of them used, the rest left to waste. Of these crimes, of which the soldiers boasted, the general officers freely conversed, and corroborated the same. And even General Doniphan, who professed to be opposed to such proceedings, acknowledged the truth of them; and gave us several particulars in detail. I believe the name of the man whose brains they knocked out, was Carey; and another individual who had his chest broken open and several hundred dollars in specie taken out, was the same Smith Humphrey whose house the mob burned at DaWitt.

After the Mormons were all disarmed, General Lucas gave them a compulsory order for men, women and children, to leave the State forthwith, without any exceptions—counting it a mercy to spare their lives on these conditions. Whilst these things were proceeding, instead of releasing us from confinement, Hyrum Smith and Amasa Lyman were forcibly added to our number, as prisoners, and under a large military escort, commanded by General Wilson, before mentioned, we were all marched to Jackson county, a distance of between fifty and sixty miles, leaving our families and our friends at their mercy, in a destitute condition, to prepare for a journey of more than two hundred miles, at the approach of winter, without our protection, and every moment exposed to robbery, ravishment, and other insult—their property robbed and their houses and lands already wrested from them.

We were exhibited like a caravan of wild animals on the way and in the streets of Indepen-

dence, and were also kept prisoners for a show for several days. In the mean time, a General Clark had been sent by Governor Boggs, with an additional force of six thousand men, from the lower country, to join General Lucas in his operations against the Mormons. He soon arrived before Far West with his army, and confirmed all Lucas had done, and highly commended them for their virtue, forbearance and other deeds in bringing about *so peaceable and amicable an adjustment of affairs*. He kept up the same scene of ravage, plunder, ravishment and depredation, for the support and enrichment of his army—even burning the houses and fences for fuel. He also insisted that every man, woman and child of the Mormon society should leave the State, except such as he detained as prisoners; stating that the Governor had sent him to exterminate them, but that he would, as a mercy, spare their lives, and give them until the first of April following, to get out of the State. He also compelled them, at the point of the bayonet, to sign a deed of trust of all their real estate, to defray the expenses of what he called "THE MORMON WAR." After arranging all these matters to his satisfaction, he returned to Richmond, thirty miles distant, taking about sixty heads of families with him, and marching them through a severe snow storm, on foot, as prisoners, leaving their families in a perishing condition.

Having established his head-quarters at Richmond, Ray county, he sent to General Lucas and demanded us to be given up to him. We were accordingly transported some thirty or forty miles, delivered over to him, and put in close confinement, in chains, under a strong guard. At length we obtained an interview with him, and enquired why we were detained as prisoners. I said to him, Sir, we have now been prisoners under the most aggravating circumstances for two or three weeks, during which time we have received no information as to why we are prisoners, or for what object, as no writ has been served upon us. We are not detained by the civil law, and as ministers of the gospel in times of peace, *who never bear arms*, we cannot be considered prisoners of war, especially as there has been no war. And from present appearances, we can hardly be considered prisoners of hope. Why then these bonds? Said he, You were taken to be tried. Tried by what authority? said I. By court martial, replied he. By court martial? said I. Yes, said he.—How, says I, can men, who are not military men, but ministers of the gospel, be tried by court martial, in this country where every man has a right to be tried by a jury? He replied it was according to the treaty with General Lu-

cas, on the part of the State of Missouri, and Colonel Hinkle, the commanding officer of the Fortress of Far West, on the part of the Mormons, and in accordance with the Governor's order. And, said he, I approve of all that Lucas has done, and am determined to see it fulfilled. Said I, Colonel Hinkle was but a Colonel of the Caldwell county militia, and commissioned by the Governor, and the Mormons had no Fortress; but were, in common with others, citizens of Missouri, and therefore we recognise no authority in Colonel Hinkle, to sell our liberties or make treaties for us.

Several days afterwards, General Clark again entered our prison and said he had concluded to deliver us over to the civil authorities. Accordingly we were soon brought before Austin A. King Judge of the Fifth circuit, where an examination was commenced, and witnesses sworn at the point of the bayonet, and threatened on pain of death if they did not swear to that which would suit the court. During this examination, I heard Judge King ask one of the witnesses, who was a Mormon, if he and his friends intended to live on their lands any longer than April, and to plant crops? Witness replied, why not? The Judge replied, If you once think to plant crops or to occupy your lands any longer than the first of April, the citizens will be upon you; they will kill you every one; men, women and children, and leave you to manure the ground without a burial. They have been mercifully withheld from doing this on the present occasion, but will no be restrained for the future. On examining a Mormon witness for the purpose of substantiating the charge of Treason against Mr. Smith. He questioned him concerning our religious faith:

First. Do the Mormons send missionaries to foreign nations? The witness answered in the affirmative.

Secondly. Do the Mormons believe a certain passage in the Book of Daniel? naming the passage, which reads as follows: 'And the kingdom and dominion, and the greatness of the kingdom under the whole heaven, shall be given to the people of the saints of the Most High, whose kingdom is an everlasting kingdom, and all dominions shall serve and obey him' Dan. vii: 27. On being answered in the affirmative, the judge ordered the scribe to put it down as a strong point for treason; but this was too much for even a Missouri lawyer to bear; he remonstrated against such a course of procedure, but in vain. Said he, judge you had better make the bible treason. After an examination of this kind, for many days, some were set at liberty, others admitted out on bail, and themselves and

bail expelled from the state forthwith, with the rest of the Mormon citizens. And Joseph Smith, Hyrum Smith, Sidney Rigdon, Lyman Wight and others were committed to the Clay county jail for further trial. Two or three others, and myself, were put into the jail at Ray county, for the same purpose.

The Mormon people now began to leave the state, agreeably to the exterminating order of Governor Boggs. Ten or twelve thousand left the state during the winter, and fled to the state of Illinois. A small number of widows, and the poor, together with my family and some of the friends of the other prisoners, still lingered in Far West, when a small band of armed men entered the town and committed many depredations and threatened life; and swore if my wife and children, and others whom they named were not out of the state, in so many days, they would kill them; as the time now drew near for the completion of the exterminating order of Governor Boggs. Accordingly, my wife and children, and others, left the state as best they could; wandered to the state of Illinois, there to get a living among strangers, without a husband, father, or protector. Myself and party still remained in prison, after all the other Mormons had left the state; and even Mr. Smith and his party, had escaped to bring up the rear. In June, by change of venue, we were removed from Ray county, to Columbia, Boone county, upwards of one hundred miles towards the state of Illinois; and by our request a special court was called, for final trial; but notwithstanding we were removed more than one hundred miles from the scenes of their depredations, yet such was the fact, that neither our friends or witnesses dared come into that state to attend our trial, as they had been banished from the state by the governor's order of extermination; executed to the very letter, by the principal officers of the state, civil and military. On these grounds, and having had all these opportunities to know, I testify that neither Mr. Smith, nor any other Mormon has the least prospect for justice, or to receive a fair and impartial trial in the state of Missouri. If tried at all, they must be tried by authorities who have trampled all law under their feet, and who have assisted in committing murder, robbery, treason, arson, rape, burglary and felony; and who have made a law of banishment, contrary to the laws of all nations; and executed this barbarous law with the utmost rigor and severity. Therefore, Mr. Smith, and the Mormons generally, have suffered the end of the law; of which they had no choice, and therefore, the state of Missouri has no further claims, whatever, upon any of them.

I furthermore testify that the authorities of other states, who would assist Missouri, to wreak further vengeance upon any individual of the persecuted Mormons, are either ignorantly or wilfully aiding and abetting in all these crimes.

Cross examined. He states that he was very intimate with Mr. Smith all the time he resided in the state of Missouri, and was with him almost daily, and that he knows positively that Mr. Smith held no office, either civil or military, either real or pretended, in that State; and that he never bore arms, or did military duty, not even in self defence; but that he was a peaceable, law-abiding, and faithful citizen, and a preacher of the gospel, and exhorted all the citizens to be peaceable, long suffering and slow to act, even in self defence. He further stated that there was no fortress in Far West, but a temporary fence, made of rails, house logs, floor planks, wagons, carts, &c., hastily thrown together, after being told by General Lucas that they were to be massacred the following morning, and the town burnt to ashes, without giving any information by what authority. And he further states that he only escaped himself from that state by walking out of the jail when the door was open to put in food, and came out in obedience to the governor's order of banishment, and to fulfil the same.

PARLEY P. PRATT.

GEORGE W. PITKIN sworn. says that he concurs with the preceding witnesses H. Smith and P. P. Pratt, in all the facts with which he is acquainted, that in the summer of 1838 he was elected Sheriff of the county of Caldwell and State of Missouri. That in the fall of the same year while the County was threatened and infested with mobs, he received an order from Judge Higbee the presiding Judge of said County, to call out the Militia and he executed the same. The said order was presented by Joseph Smith, Sen. who showed the witness a letter from General Atchinson giving such advice as was necessary for the protection of the citizens of said county; reports of the mobs destroying property were daily received. Has no knowledge that Joseph Smith was concerned in organizing or commanding said Militia in any capacity whatever. About this time he received information that about forty or fifty "Yankee-Rifles" and a quantity of ammunition were being conveyed through Caldwell to Davies County for the use of the mob: Upon which he deputized William Allred to go with a company of men and to intercept them if possible, he did so and brought the said arms and ammunition into Far West which were afterwards delivered up to the order of

Austin A. King, judge of the fifth circuit in Missouri.

It was generally understood at that time that said arms had been stolen by Neil Gillum, and his company of volunteers, who had been upon a six months tour of service in the war between the United States and the Florida Indians, they were supposed to have been taken from the Fort at "Tampa Bay," and brought to Richmond Clay County and that Captain Pollard or some other person loaned them to the mob. He further says that whilst in office as sheriff he was forcibly and illegally compelled by Lieutenant Cook, the son in law or brother in law of Bogard, the Methodist Priest—to start for Richmond and when he demanded of him by what authority he acted he was shown a Bowie knife and a brace of Pistols—And when he asked what they wanted of him he said they would let him know when he got to Richmond. Many of the citizens of Caldwell County were taken in the same manner without any legal process whatever and thrust into prison.

GEORGE W. PITKIN:

BRIHAM YOUNG sworn. Says that, so far as he was acquainted with the facts stated by the previous witnesses, he concurs with them, and that he accompanied Mr. Joseph Smith into the State of Missouri, and arrived at Far West on the 14th day of March, 1838, and was neighbor to Mr. Smith until he was taken by Governor Boggs' militia, a prisoner of war, as they said, and that he was knowing to his character whilst he was in the State of Missouri; and that he, Mr. Smith, was in no way connected with the militia of that State: neither did he bear arms at all, nor give advice, but was a peaceable, law-abiding, good citizen, and a true republican in every sense of the word. He was with Mr. Smith a great share of the time, until driven out of Missouri by an armed force, under the exterminating order of Governor Boggs. He heard the most of Mr. Smith's public addresses, and never did he hear him give advice or encourage anything contrary to the laws of the State of Missouri; but to the contrary, always instructing the people to be peaceable, quiet, and law-abiding, and if necessity should compel them to withstand their enemies, by whom they were daily threatened in mobs at various points, that they, the Mormons, should attend to their business strictly, and not regard reports; and if the mob did come upon them, to contend with them by the strong arm of the law; and if that should fail, our only relief would be self defence: and be sure and act only upon the defensive. And there were no operations against the mob by the militia of Caldwell county only by the advice of Generals

Atchison, Doniphan, and Parks.

At the time that the army came in sight of Far West, he observed their approach, and thought some of the militia of the State had come to the relief of the citizens; but to his great surprise, he found that they were come to strengthen the hands of the mobs that were around us, and which immediately joined the army. A part of these mobs were painted like Indians, and "Gillum," their leader, was also painted in a similar manner, and styled himself the "DELAWARE CHIEF," and afterwards he, and the rest of the mob, claimed and obtained pay, as militia, from the State, for all the time they were engaged as mob, as will be seen by reference to the acts of the Legislature. That there were Mormon citizens wounded and murdered by the army under the command of General Lucas, and he verily believes that several women were ravished to death by the soldiery of Lucas and Clark. He also stated that he saw Joseph Smith, Sidney Rigdon, Parley P. Pratt, Lyman Wight, and George W. Robinson, delivered up by Colonel Hinkle to General Lucas, but expected they would have returned to the city that evening or the next morning, according to agreement, and the pledge of the sacred honor of the officers that they should be allowed to do so: but they did not return at all. The next morning, General Lucas demanded and took away the arms of the Militia of Caldwell county, (which arms have never been returned,) assuring them that they should be protected; but so soon as they obtained possession of the arms, they commenced their ravages by plundering the citizens of their bedding, clothing, money, wearing apparel, and everything of value they could lay their hands upon; and also attempting to violate the chastity of the women in sight of their husbands and friends—under the pretence of hunting for prisoners and arms. The soldiers shot down our oxen, cows, hogs and fowls, at our own doors, taking part away, and leaving the rest to rot in the streets. The soldiers also turned their horses into our fields of corn.

Here the witness was shown General Clark's speech, which is as follows, viz:

"GENTLEMEN,—You whose names are not attached to this list of names, will now have the privilege of going to your fields, and of providing corn, wood, &c., for your families. Those that are now taken will go from this to prison, be tried, and receive the due demerit of their crimes; but you, (except such as charges may hereafter be preferred against,) are at liberty as soon as the troops are removed that now guard the place, which I shall cause to be done immediately. It now devolves upon you to fulfil

the treaty that you have entered into, the leading items of which I shall now lay before you. The first requires that your leading men be given up to be tried according to law; this you have complied with. The second is, that you deliver up your arms; this has also been attended to. The third stipulation is, that you sign over your properties to defray the expenses that have been incurred on your account; this you have also done. Another article yet remains for you to comply with,—and that is, that you leave the State forth-with. And whatever may be your feelings concerning this, or whatever your innocence is, it is nothing to me. General Lucas (whose military rank is equal with mine,) has made this treaty with you; I approve of it. I should have done the same had I been here, and am therefore determined to see it executed. The character of this State has suffered almost beyond redemption, from the character, conduct and influence that you have exerted; and we deem it an act of justice to restore her character by every proper means.—The order of the Governor to me was, that you should be exterminated, and not allowed to remain in the State. And had not your leaders been given up, and the terms of the treaty complied with before this time, your families would have been destroyed, and your houses in ashes. There is a discretionary power vested in my hands, which, considering your circumstances, I shall exercise for a season. You are indebted to me for this clemency. I do not say that you shall go now, but you must not think of staying here another season, or of putting in crops; for the moment you do this the citizens will be upon you; and if I am called here again in case of non-compliance with the treaty made, do not think that I shall act as I have done now. You need not expect any mercy, but *extermination*; for I am determined the Governor's order shall be executed. As for your Leaders, do not think, do not imagine for a moment, do not let it enter into your minds that they will be delivered and restored to you again, for their fate is fixed, the die is cast, their doom is sealed. I am sorry, Gentlemen, to see so many apparently intelligent men found in the situation that you are; and Oh! if I could invoke that Great Spirit of the unknown God to rest upon and deliver you from that awful chain of superstition, and liberate you from those fetters of fanaticism with which you are bound—that you no longer do homage to a man. I would advise you to scatter abroad, and never again organize yourselves with Bishops, Priests, &c., lest you excite the jealousies of the people and subject yourselves to the same calamities that have now come upon you. You have always

been the aggressors—you have brought upon yourselves these difficulties, by being disaffected, and not being subject to rule. And my advice is, that you become as other citizens, let by a recurrence of these events you bring upon yourselves irretrievable ruin."

When asked by the Court if it was correct and after reading it, he replied—

Yes, as far as it goes—for, continued he, I was present when that speech was delivered, and when fifty-seven of our brethren were betrayed into the hands of our enemies as prisoners, which was done at the instigation of our open and avowed enemies: such as William McClellan and others, and the treachery of Colonel Hinkle. In addition to the speech referred to, General Clark said that, we must not be seen as many as five together. If you are, said he, the citizens will be upon you, and destroy you; but to flee immediately out of the State. There was no alternative for them but to flee: that they need not expect any redress, for there was none for them. With respect to the treaty, the witness further says, that there never was any treaty proposed or entered into on the part of the Mormons, or even thought of. As to the leaders being given up, there was no such contract entered into or thought of by the Mormons, or any one called a Mormon, except by Colonel Hinkle. And with respect to the trial of the prisoners at Richmond: I do not consider that tribunal a legal court, but an inquisition—for the following reasons: That Mr. Smith was not allowed any evidence whatever on his part, for the conduct of the court, as well as the judge's own words affirmed, that there was no law for Mormons in the State of Missouri. And he also knew that when Mr. Smith left the State of Missouri, he did not flee from justice, for the plain reason that the officers and the people manifested by their works and their words, that there was *no law, nor justice* for the people called Mormons. And further he knows; that Mr. Smith has ever been a strong advocate for the laws and constitutions of his country—and that there was no act of his life while in the State of Missouri, according to his knowledge, that could be implied or construed in any way whatever, to prove him a fugitive from justice; or that he has been guilty of "murder, treason, arson, larceny, theft, and stealing," the crimes he was charged with by General Clark, when he delivered him over to the civil authorities; and he supposes that the learned general did not know but there was a difference between "larceny, theft and stealing."

The witness also says that they compelled the brethren to give away their property by ex-

cutting a Deed of Trust, at the point of the bayonet, and that Judge Cameron stood and saw the Mormons sign away their property, and then he and others would run and kick up their heels, and said they were glad of it, and "we have nothing to trouble us now." This judge also said, God damn them, see how well they feel now. General Clark also said he had authority to make what treaties he pleased; and the governor would sanction it.

The witness also stated that he never transgressed any of the laws of Missouri; and he never knew a Latter Day Saint break a law while there. He also said that if they would search the records of Clay, Caldwell, or Davies counties, they could not find one record of crime against a Latter Day Saint, or even in Jackson county, so far as witness knew.

BRIGHAM YOUNG.

LYMAN WIGHT sworn. Saith that he has been acquainted with Joseph Smith Senior for the last twelve years, and that he removed to the State of Missouri in the year 1831, when the Church of Jesus Christ of Latter Day Saints was organized, agreeably to the law of the land. No particular difficulty took place until after some hundreds had assembled in that land who believed in the Book of Mormon, and Revelations which were given through said Joseph Smith Senior. After nearly two years of peace had elapsed, a strong prejudice among the various sects arose, declaring that Joseph Smith was a false prophet, and ought to die: and I heard hundreds say they had never known the man, but if they could come across him, they would kill him as soon as they would a rattlesnake. Frequently heard them say of those who believed in the doctrine he promulgated, that if they did not renounce it, they would exterminate or drive them from the county in which they lived. On enquiring of them if they had any prejudice against us, they said No, but Joe Smith ought to die, and if he ever comes to this country, we will kill him, God damn him.

Matters went on thus until some time in the summer of 1833, when mobs assemble in considerable bodies, frequently visiting private houses, threatening them with death and destruction instantly, if they did not renounce Joe Smith as a prophet, and the Book of Mormon. Some time towards the last of the summer of 1833, they commenced their operations of mobocracy. On account of their priests, by mating in their prejudices against Joseph Smith Senior, as I believe, gangs of from thirty to sixty, visiting the house of George Bebee, calling him out of his house at the hour of midnight, with many guns and pistols pointed at his breast, beating him most inhumanly with

clubs and whips; and the same night or night afterwards, this gang unroofed thirteen houses in what was called the Whitmer Branch of the Church in Jackson county. These scenes of mobocracy continued to exist with unabated fury. Mobs went from house to house, thrusting poles and rails in at the windows and doors of the houses of the Saints, tearing down a number of houses, turning hogs, horses, &c., into cornfields, burning fences, &c. Some time in the month of October, they broke into the store of S. Gilbert & Co., and I marched up with thirty or forty men to witness the scene, and found a man by the name of McArtty, brickbatting the store door with all fury, the silks, calicoes, and other fine goods, entwined about his feet, reaching within the door of the store-house. McArtty was arrested and taken before squire Weston, by seven testimoniers, and then acquitted without delay. The next day the witnesses were taken before the same man for false imprisonment, and by the testimony of this one burglar, were found guilty, and committed to jail. This so exasperated my feelings that I went with two hundred men to enquire into the affair, when I was promptly met by the colonel of the militia, who stated to me that the whole had been a religious farce, and had grown out of a prejudice they had imbibed against said Joseph Smith, a man with whom they were not acquainted. I here agreed that the church would give up their arms, provided the said Colonel Pitcher would take the arms from the mob. To this the colonel cheerfully agreed, and pledged his honor with that of Lieutenant Governor Boggs, Owen, and others. This treaty entered into, we returned home, resting assured on their honor, that we would not be farther molested. But this solemn contract was violated in every sense of the word. The arms of the mob were never taken away, and the majority of the militia, to my certain knowledge, were engaged the next day with the mob, (Colonel Pitcher and Boggs not excepted,) going from house to house in gangs of from sixty to seventy in number, threatening the lives of women and children, if they did not leave forthwith. In this diabolical scene, men were chased from their houses and homes, without any preparations for themselves or families. I was chased by one of these gangs across an open prairie five mile without being overtaken, and lay three weeks in the woods, and was three days and three nights without food. In the mean time, my wife and three small children, in a skiff passed down Big Blue river a distance of fourteen miles and crossed over the Missouri river, and there borrowed a rag carpet of one of her friends and made a

tent of the same, which was the only shield from the inclemency of the weather during the three weeks of my expulsion from home. Having found my family in this situation, and making some enquiry, I was informed I had been hunted through Jackson, Lafayette and Clay counties, and also the Indian territory. Having made the enquiry of my family, why it was they had so much against me, the answer was, "He believes in Joe Smith and the Book of Mormon, God damn him, and we believe Joe Smith to be a damned rascal!!" Here on the bank of the Missouri river were eight families, exiled from plentiful homes, without one particle of provisions, or any other means under the heavens to get any only by hunting in the forest. I here built a camp twelve feet square, against a sycamore log, in which my wife bore me a fine son on the 27th of December. The camp having neither chimney nor floor, nor covering sufficient to shield them from the inclemency of the weather, rendered it intolerable. In this doleful condition, I left my family for the express purpose of making an appeal to the American people to know something of the toleration of such vile and inhuman conduct, and travelled one thousand and three hundred miles through the interior of the United States, and was frequently answered "That such conduct was not justifiable in a republican government; yet we feel to say that we fear that Joe Smith is a very bad man, and circumstances alter cases. We would not wish to prejudge a man, but in some circumstances, the voice of the people ought to rule." The most of these expressions were from professors of religion; and in the aforesaid persecution, I saw one hundred and ninety women and children driven thirty miles across the prairie, with three decrepit men only in their company, in the month of Nov., the ground thinly crusted with snow, and I could easily follow on their trail by the *blood that flowed from their lacerated feet!!* on the stubble of the burnt prairie. This company not knowing the situation of the country, nor the extent of Jackson county, built quite a number of cabins, that proved to be in the borders of Jackson county. The mob, infuriated at this, rushed on them in the month of January 1834, burned these scanty cabins, and scattered the inhabitants to the four winds, from which cause many were taken suddenly ill, and of this illness died. In the mean time, they burned two hundred and three houses and one grist mill, these being the only residences of the Saints in Jackson county.

The most part of one thousand and two hundred Saints, who resided in Jackson county, made their escape to Clay county. I would here

remark that among one of the companies that went to Clay county, was a woman named Sarah Ann Higbee who had been sick of chills and fever for many months; and another of the name of Keziah Higbee, who was under the most delicate circumstances, lay on the bank of the river, without shelter, during one of the most stormy nights I ever witnessed, while torrents of rain poured down during the whole night, and streams of the smallest minutia were magnified into rivers. The former was carried across the river, apparently a lifeless corpse.—The latter was delivered of a fine son, on the bank, within twenty minutes after being carried across the river, under the open canopy of heaven, and from which cause, I have every reason to believe, she died a premature death. The only consolation they received, under these circumstances, was "God damn you, do you believe in Joe Smith now?" During this whole time, the said Joseph Smith, Senior, lived in Ohio, in the town of Kirtland, according to the best of my knowledge and belief, a distance of eleven hundred miles from Jackson county, and thinks that the church had but little correspondence with him during that time. We now mostly found ourselves in Clay county—some in negro cabins—some in gentlemen's kitchens—some in old cabins that had been out of use for years—and others in the open air, without anything to shelter them from the dreary storms of a cold and stormy winter.

Thus like men of servitude we went to work to obtain a scanty living among the inhabitants of Clay county. Every advantage which could be taken of a people under these circumstances was not neglected by the people of Clay county. A great degree of friendship prevailed between the Saints and this people under these circumstances for the space of two years; when the Saints commenced purchasing some small possessions for themselves; this together with the emigration created a jealousy on the part of the old citizens—that we were to be their servants no longer. This raised an apparent indignation and the first thing expressed in this excitement was: "you believe too much in Joe Smith,"—consequently they commenced catching the Saints in the streets, whipping some of them until their bowels gushed out, and leaving others for dead in the streets. This so exasperated the Saints that they mutually agreed with the citizens of Clay county that they would purchase an entire new county north of Ray and cornering on Clay. There being not more than 40 or 50 inhabitants in this new county, who frankly sold out their possessions to the Saints, who immediately set in to enter the entire county from the General Government. The county having been

settled, the Governor issued an order for the organization of the county into a regiment of militia, and an election being called for a Colonel of said regiment—I was elected unanimously, receiving 236 votes, in August 1837. Then organized with subaltern officers according to the statutes of the State, and received legal and lawful commissions from Governor Boggs for the same.

I think, sometime in the latter part of the winter said Joseph Smith moved to the district of country the Saints had purchased, and he settled down like other citizens of a new county, and was appointed the first Elder in the Church of Jesus Christ of Latter Day Saints, holding no office in the county either civil or military. I declare that I never knew said Joseph Smith to dictate by his influence or otherwise any of the officers either civil or military, he himself being exempt from military duty from the amputation from his leg of a part of the bone on account of a fever sore.

I removed from Caldwell to Davies county, purchased a pre-emption right, for which I gave 750 dollars, gained another by the side thereof, put in a large crop and became acquainted with the citizens of Davies, who appeared very friendly. In the month of June or July there was a town laid off, partly on my pre-emption, and partly on lands belonging to Government—the emigration commenced flowing to this newly laid off town very rapidly. This excited a prejudice in the minds of some of the old citizens who were an ignorant set, and not very far advanced before the aborigenes of the country in civilization or cultivated minds, fearing lest this rapid tide of emigration should deprive them of office of which they were dear lovers. This was more plainly exhibited at the Aug. election in the year 1838. The old settlers then swore that not one Mormon should vote at that election; accordingly they commenced operations by fist and skull; this terminated in the loss of some teeth, some flesh, and some blood. The combat being very strongly contested on both sides—many Mormons were deprived of their votes; and I was followed to the polls by three ruffians with stones in their hands, swearing they would kill me if I voted.

A false rumor was immediately sent to Far West, such as two or three Mormons were killed and were not suffered to be buried. The next day a considerable number of the Saints came out to my house—said Joseph Smith came with them—he enquired of me concerning the difficulty—the answer was political difficulties—he then asked if there was any thing serious—the answer was, no, I think not—we then all mounted our horses and rode up into the Prairie a short distance from my house to a cool spring

near the house of Esq. Black where the greater number stopped for refreshment, whilst a few waited on Esq. Black—he was interrogated to know whether he justified the course of conduct at the late election or not—he said he did not, and was willing to give his protest in writing, which he did, and also desired that there should be a public meeting called which I think was done on the next day. Said Joseph Smith was not addressed on the subject but I was, who, in behalf of the Saints, entered into an agreement with the other citizens of the county that we would live in peace, enjoying those blessings fought for by our forefathers, but while some of their leading men were entering into this contract, others were raising mobs, and in a short time the mob increased to 205 rank and file, and they encamped within six miles of Ondiahman. In the mean time Joseph Smith and those who came with him from Far West returned to their homes in peace suspecting nothing—but I seeing the rage of the mob and their full determination to drive the Church from Davies county, sent to General Atchison (Major General of the Division in which we lived,) he immediately sent Brigadier General Doniphan, with between 200 and 300 men. Gen. Doniphan moved his troops near the mob force, and came up and conversed with me on the subject—after conversing some time on the subject, Major Hughes came and informed General Doniphan that his men were mutinizing, and the mob were determined to fall on the Saints in Ondiahman. I having a Col's. commission under Doniphan, was commanded to call out my troops forthwith, and to use Doniphans own language "kill every G—d—n mobocrat or make them prisoners, and if they come upon you give them hell"—he then returned his troops and gave them an address, stating the interview he had with me, and he also said to the mob, that if they were so disposed they could go on with their measures—that he considered that Col. Wight with the militia under his command all-sufficient to quell every G—d—n mobocrat in the county, and if they did not feel disposed so to do, to go home or G—d—n them he would kill every one of them.—The mob then dispersed. During these movements Joseph Smith nor any of those of Far West or any other place were not at Ondiahman only those who were settlers and legal citizens of the place. The mob again assembled and went to DeWitt, Carroll county, there being a small branch of the Church at that place, but of the transactions at this place I have no personal knowledge. They succeeded in driving the Church from that place, some to the east and some to the west, &c. This increased their ardor, and with redoubled forces from several counties of the State, they returned to Davies

county to renew the attack, many unwanton attacks and violations of the rights of citizens took place at this time from the hands of this hellish band. I believing forbearance no longer to be a virtue, again sent to the Major General for military aid, who ordered out Brigadier General Parks. Parks came part of the way, but fearing his men would mutinize and join the mob, he came on ahead and conversed with me a considerable time. The night previous to his arrival the wife of Don Carlos Smith was driven from her house by this ruthless mob, and came into Ondiahman, a distance of three miles, carrying two children on her hips, one of which was then rising of two years old, the other six or eight months old—the snow being over shoe-mouth deep, and she having to wade Grand River which was at this time waist deep, and the mob burnt the house and every thing they had in it—and General Parks, passing the ruins thereof, seemed fired with indignation at their hellish conduct, and said he had hitherto thought it imprudent to call upon the militia under my command in consequence of popular opinion, but he now considered it no more than justice that I should have command of my own troops, and said to me, "I therefore command you forthwith to raise your companies immediately and take such course as you may deem best in order to disperse the mob from this county." I then called out sixty men and placed them under the command of Captain David W. Patton, and I also took about the same number—Capt. Patton was ordered to Gallatin, where a party of the mob were located, and I to Millport, where another party was located. I and Captain Patton formed the troops under our command, and General Parks addressed them as follows:—

"Gentlemen, I deplore your situation—I regret that transactions of this nature should have transpired in our once happy State—your condition is certainly not an enviable one—surrounded by mobs on one side, and popular opinion and prejudice against you on the other—gladly would I fly to your relief with my troops, but I fear it would be worse for you—most of them have relations living in this county, and will not fight against them. One of my principal Captains, namely Samuel Bogard and his men have already mutinized and have refused to obey my command. I can only say to you, gentlemen, follow the command of Colonel Wight, whom I have commanded to disperse all mobs found in Davies county, or to make them prisoners and bring them before the civil authorities forthwith. I wish to be distinctly understood that Colonel Wight is vested with power and authority from me to disperse from your midst all who may be found on the side of mobocracy in the county of

Davies. I deeply regret gentlemen (knowing as I do the vigilance and perseverance of Colonel Wight in the cause of freedom and rights of man) that I could not even be a soldier under his command in quelling the hellish outrages I have witnessed. In conclusion, gentlemen, be vigilant and persevere and allay every excitement of mobocracy. I have visited your place frequently—find you to be an industrious and thriving people, willing to abide the laws of the land.—And I deeply regret that you could not live in peace and enjoy the privileges of freedom. I shall now, gentlemen, return and dismiss my troops and put Captain Bogart under an arrest—leave the sole charge with Colonel Wight, who I deem sufficiently qualified to perform according to law in all military operations necessary."

Captain Patton then went to Gallatin, when coming in sight of Gallatin, he discovered about 100 of the mob holding some of the Saints in bondage, and tantalizing others in the most scandalous manner—at the sight of Captain Patton and company the mob took fright and such was their hurry to get away, some cut their bridle reins, and some pulled the bridles from their horses heads and went off with all speed, nothing to prevent the speed of their horses.

I went to Millport, and on my way discovered that the inhabitants had become enraged at the orders of the Generals Doniphan and Parks, and that they had sworn vengeance, not only against the Church but also against the two Generals, together with General Atcheson, and to carry out their plans they entered into one of the most diabolical schemes ever entered into by man, and these hellish schemes were injuriously carried out: First, by loading their families and goods in covered waggons, setting fire to their houses, moving into the midst of the mob and crying out the Mormons have driven us and burnt our houses. In this situation I found the country between my house and Millport, and also found Millport evacuated and burnt. Rumors were immediately sent to the Governor, with the news that the Mormons were killing and burning every thing before them, and that great fears were entertained that they would reach Jefferson city before the runners could bring the news. This was not known by the Church of Latter Day Saints, until 2200 of the militia had arrived within half a mile of Far West, and they then supposed the militia to be a mob. I was sent for from Ondiahman to Far West—reached there the sun about one hour high in the morning of the 29th of October, 1838, called upon Joseph Smith, enquired the cause of the great uproar, he declared he did not know, but feared the mob had increased their numbers, and was endeavoring to destroy us—I enquired of him if he had

had any conversation with any one concerning the matter—he said he had not, as he was only a private citizen of the county—that he did not interfere with any such matters. I think that he told me there had been an order from General Atcheson or Doniphan, one to the Sheriff to call out the militia in order to quell the riots, and to go to him he could give me any information on this subject, on enquiring for him I found him not. That between 3 and 4 o'clock, P. M., George M. Hinkle Colonel of the militia in that place called on me in company with Joseph Smith, and said Hinkle said he had been in the camp in order to learn the intention of the same, he said they greatly desired to see Joseph Smith, Lyman Wight, Sidney Rigdon, P. P. Pratt, and George W. Robinson; Joseph Smith first enquired why they should desire to see him as he held no office either civil or military. I next enquired why it was they should desire to see a man out of his own county. Colonel Hinkle here observed there is no time for controversy, if you are not into the camp immediately they are determined to come upon Far West before the setting of the sun, and said they did not consider us as military bodies, but religious bodies. He said that if the aforesaid persons went into the camp they would be liberated that night or very early next morning, that there should be no harm done.—We consulted together and agreed to go down—on going about half the distance from the camp, I observed it would be well for Generals Lucas, Doniphan, and others, to meet us and not have us go in so large a crowd of soldiers—accordingly the Generals moved onwards, followed by 50 Artillery men with a four pounder. The whole 2200 moved in steady pace on the right and left keeping about even with the former.—General Lucas approached the aforesaid designated persons with a vile, base, and treacherous look in his countenance—I shook hands with him and saluted him thus: “we understand General you wish to confer with us a few moments, will not to-morrow morning do as well.” At this moment George M. Hinkle spake and said, here General are the prisoners I agreed to deliver to you. General Lucas then brandished his sword with a most hideous look, and said you are my prisoners, and there is no time for talking, at the present, you will march into the camp. At this moment I believe that there was 500 guns cocked and not less than 20 caps burst-ed, and more hideous yells were never heard, even if the description of the yells of the damned in hell is true as given by the modern sects of the day. The aforesaid designated persons were there introduced into the midst of 2200 mob militia. They then called out a guard of 90 men, placing 30 around the prisoners who were on duty 2 hours and 4 off—prisoners were

placed on the ground with nothing to cover but the heavens, and they were overshadowed by clouds that moistened them before morning.—Sidney Rigdon was of a delicate constitution, received a slight shock of Apoplectic fits which excited great laughter and much ridicule in the guard and mob militia. Thus the prisoners spent a doleful night in the midst of a prejudiced and diabolical community. Next day Hyrum Smith and Amasa Lyman were dragged from their families and brought prisoners into the camp—they alleging no other reason for taking Hyrum Smith than that he was brother to Joe Smith the Prophet, and one of his counsellors as President of the Church. The prisoners spent this day as comfortably as could be expected under the existing circumstances. Night came on and under the dark shadows of the night, General Wilson, subaltern of General Lucas, took me one side, and said we do not wish to hurt you nor kill you, neither shall you be, by G—d—but we have one thing against you, and that is you are too friendly to Joe Smith, and we believe him to be a G—d—d rascal! and Wight you know all about his character—I said, I do sir—will you swear all you know concerning him said Wilson—I will sir, was the answer I gave—give us the outlines said Wilson—I then told said Wilson I believed said Joseph Smith to be the most philanthropic man he ever saw and possessed of the most pure and republican principles, a friend to mankind, a maker of peace and sir, had it not been that I had given heed to his counsel I would have given you hell before this time with all your mob forces, he then observed: Wight, I fear your life is in danger for there is no end to the prejudice against Joe Smith—kill and be d—d sir, was my answer. He answered and said there is to be a court martial held this night, and will you attend sir? I will not, unless compelled by force, was my reply. He returned about 11 o'clock that night and took me aside, and said I regret to tell you your die is cast, your doom is fixed, you are sentenced to be shot to-morrow morning on the public square, in Far West, at 8 o'clock. I answered, shoot, and be d—d.

We were in hopes said he, you would come out against Joe Smith, but as you have not you will have to share the same fate with him. I answered, you may thank Joe Smith that you are not in hell this night; for had it not been for him, I would have put you there. Somewhere about this time General Doniphan came up and said to me; Colonel, the decision is a damned hard one, and I have washed my hands against such cool and deliberate murder. He further told me, that General Graham and several others, (names not recollected,) were with him in the decision, and opposed it with all their

power; that he should move his soldiers away by day light, in the morning; that they should not witness such a heartless murder, Colonel, I wish you well. I then returned to my fellow prisoners, to spend another night on the cold damp earth, and the canopy of heaven to cover us. The night again proved a damp one. At the removal of General Doniphan's part of the army, the camp was thrown into the utmost confusion and consternation. General Lucas, fearing the consequence of such hasty and inconsiderate measures, revoked the decree of shooting the prisoners, and determined to take them to Jackson county. Consequently, he delivered the prisoners over to General Wilson, ordering him to see them safe to Independence, Jackson county. About the hour the prisoners were to have been shot on the public square in Far West, they were exhibited in a wagon in the town, all of them having families there, but myself; and it would have broken the heart of any person possessing an ordinary share of humanity, to have seen the separation. The aged father and mother of Joseph Smith were not permitted to see his face, but to reach their hands through the curtains of the wagon, and thus take leave of him. When passing his own house, he was taken out of the wagon and permitted to go into the house, but not without a strong guard, and not permitted to speak with his family but in the presence of his guard and his eldest son, Joseph, about six or eight years old, hanging to the tail of his coat, crying father, is the mob going to kill you? The guard said to him, 'you damed little brat, go back, you will see your father no more.' The prisoners then set out for Jackson county, accompanied by Generals Lucas and Wilson, and about three hundred troops for a guard. We remained in Jackson county two or three days and nights, during most of which time, the prisoners were treated in a gentlemanly manner, and boarded at a hotel, for which they had afterwards, when confined in Liberty jail, to pay the most extravagant price, or have their property, if any they had, attached for the same.— At this time General Clark had arrived at Richmond, and by orders from the governor, took on himself the command of the whole of the militia, notwithstanding General Atchison's commission was the oldest, but he was supposed to be too friendly to the Mormons: and therefore dismounted, and General Clark sanctioned the measures of General Lucas, however cruel they might have been; and said, he should have done the same had he been there himself. Accordingly he remanded the prisoners from Jackson county, and they were taken and escorted by a strong guard to Richmond; threatened

several times on the way with violence and death. They were met five miles before they reached Richmond, by about one hundred armed men, and when they arrived in town they were thrust into an old cabin under a strong guard. I was informed by one of the guards, that two nights previous to their arrival, General Clark had a court martial, and the prisoners were again sentenced to be shot; but he being a little doubtful of his authority, sent immediately to Fort Leavenworth for the military law, and a decision from the United States' officers, where he was duly informed, that any such proceeding would be a cool blooded and heartless murder. On the arrival of the prisoners at Richmond, Joseph Smith and myself sent for General Clark; to be informed by him what crimes were alledged against us. He came in and said he would see us again in a few minutes; shortly he returned and said he would inform us of the crimes alledged against us by the state of Missouri.

"Gentlemen, you are charged with treason, murder, arson, burglary, larceny, theft, and stealing, and various other charges too tedious to mention, at this time;" and he left the room. In about twenty minutes, there came in a strong guard, together with the keeper of the penitentiary of the state, who brought with him two common trace chains, noozed together by putting the small end through the ring; and commenced chaining us up one by one, and fastening with padlocks, about two feet apart. In this unhallowed situation, the prisoners remained fifteen days, and in this situation, General Clark delivered us to the professed civil authorities of the state, without any legal process being served on us at all, during the whole time we were kept in chains, with nothing but ex-parte evidence, and that either by the vilest apostates, or by the mob who had committed murder in the state of Missouri. Notwithstanding all this ex-parte evidence, Judge King did inform our lawyer, ten days previous to the termination of the trial, who he should commit and who he should not; and I heard Judge King say on his bench, in the presence of hundreds of witnesses, that there was no law for Mormons, and they need not expect any. Said he, if the governor's exterminating order had been directed to me, I would have seen it, fulfilled to the very letter ere this time.

After a tedious trial of fifteen days, with no other witnesses but ex-parte ones, the witnesses, for prisoners were either kicked out of doors or put on trial for themselves. The prisoners were now committed to Liberty jail, under the care and direction of Samuel Tillery, jailor.— Here we were received with a shout of indig-

nation and scorn, by the prejudiced populace. Prisoners were here thrust into jail without a regular mittimus; the jailor having to send for one some days after. The mercies of the jailor were intolerable, feeding us with a scanty allowance, on the dregs of coffee and tea, from his own table, and fetching the provisions in a basket, on which the chickens had roosted the night before, without being cleaned; five days he fed the prisoners on human flesh, and from extreme hunger I was compelled to eat it. In this situation we were kept until about the month of April, when we were remanded to Davies county for trial before the grand jury. — We were kept under the most loathsome and despotic guards they could produce in that county of lawless mobs. After six or eight days the grand jury, (most of whom by the by, were so drunk that they had to be carried out and into their rooms as though they were lifeless,) formed a fictitious indictment, which was sanctioned by Judge Birch, who was the State's Attorney under Judge King at our ex parte trial, and who at that time stated that the Mormons ought to be hung without judge or jury, he the said judge, made out a mittimus without day or date, ordering the sheriff to take us to Columbia. The sheriff selected four men to guard five of us. We then took a circuitous route, crossing prairies sixteen miles without houses, and after travelling three days the sheriff and I were together, by ourselves five miles from any of the rest of the company, for sixteen miles at a stretch. The sheriff here observed to me, that he wished to God he was at home, and your friends and you also. The sheriff then showed me the mittimus, and he found it had neither day or date to it; and said the inhabitants of Davies county would be surprised that the prisoners had not left them sooner; and said he, by God, I shall not go much farther. We were then near Yellow creek, and there were no houses nearer one way than sixteen miles and eleven another way; except right on the creek. Here a part of the guard took a spree while the balance helped us to mount our horses, which we purchased of them and for which they were paid. Here we took a change of venue and went to Quincy without difficulty, where we found our families who had been driven out of the state under the exterminating order of Governor Boggs. I never knew of Joseph Smith's holding any office, civil or military, or using any undue influence in religious matters during the whole routine of which I have been speaking.

LYMAN WIGHT.

SIDNEY RYDON, sworn. Says, I arrived in Far West, Caldwell county, Missouri, on the

4th of April, 1839, and enjoyed peace and quietness in common with the rest of the citizens, until the August following, when great excitement was created by the office seekers. Attempts were made to prevent the citizens of Caldwell from voting. Soon after the election, which took place in the early part of August, the citizens of Caldwell were threatened with violence from those of Davis county, and other counties adjacent to Caldwell.

This, the August, 1838, I may date as the time of the beginning of all the troubles of our people in Caldwell county, and in all the counties in the state, where our people were living. We had lived in peace from the April previous until this time, but from this time till we were all out of the state, it was but one scene of violence following another in quick succession.

There were at this time, settlements in Clay, Ray, Carroll, Caldwell, and Davis counties, as well as some families living in other counties. A simultaneous movement was made in all the counties where settlements were made in every part of the state, which soon became violent, and threatnings were heard from every quarter. Public meetings were held and the most inflammatory speeches made, and resolutions passed which denounced all the citizens of these counties in the most bitter and rancorous manner. These resolutions were published in the papers, and the most extensive circulation given to them, that the presses of the country were capable of giving.

The first regular mob that assembled was in Carroll county, and their efforts were directed against the settlements made in that county, declaring their determination to drive out of the county all the citizens who were of our religion, and that indiscriminately, without regard to any thing else but their religion. The only evidence necessary to dispossess any individual or family, or all the evidence required, would be that they were Mormons, as we were called, or rather that they were of the Mormon religion. This was considered of itself crime enough to cause any individual or family to be driven from their homes, and their property made common plunder. Resolutions to this effect were made at public meetings held for the purpose, and made public through the papers of the state in the face of all law, and all authority.

I will now give a history of the settlement in Carroll county. In the preceding April, as myself and family were on our way to Far West, we put up at a house in Carroll county, on a stream called Turkey creek, to tarry for the night. Soon after we stopped, a youngerly man came riding up who also stopped and staid

through the night. Hearing my name mentioned he introduced himself to me as Henry Root, said he lived in that county at a little town called De Witt, on the Missouri river, and had been at Far West, to get some of those who were coming into that place, to form a settlement at De Witt; speaking highly of the advantages of the situation, and soliciting my interference in his behalf, to obtain a number of families to commence at that place, as he was a large proprietor in the town plat. He offered a liberal share in all the profits which might arise from the sale of property there, to those who would aid him in getting the place settled. In the morning we proceeded on our journey.

Some few weeks after my arrival, the said Henry Root, in company with a man by the name of David Thomas, came to Far West on the same business; and after much solicitation on their part, it was agreed that a settlement should be made in that place, and in the July following, the first families removed there, and the settlement soon increased, until in the October following, it consisted of some seventy families. By this time a regular mob had collected, strongly armed; and had obtained possession of a cannon, and stationed a mile or two from the town. The citizens being nearly all new comers, had to live in their tents and wagons, and were exerting themselves to the utmost to get houses for the approaching winter. The mob commenced committing their depredations on the citizens, by not suffering them to procure the materials for building, keeping them shut up in the town, not allowing them to go out to get provisions, driving off their cattle, and preventing the owners from going in search of them. In this way the citizens were driven to the greatest extremities, actually suffering for food and every comfort of life, in consequence of which there was much sickness and many died; females gave birth to children without a house to shelter them, and in consequence of the exposure, many suffered great afflictions and many died.

Hearing of their great sufferings, a number of the men of Far West determined on going to see what was doing there. Accordingly we started, eluded the vigilance of the mob, and notwithstanding they had sentinels placed on all the principal roads, to prevent relief from being sent to the citizens, safely arrived in De Witt, and found the people as above stated.

During the time we were there, every effort that could be, was made to get the authorities of the country to interfere and scatter the mob. The judge of the circuit court was petitioned, but without success, and after that the govern-

or of the state, who returned for answer that the citizens of De Witt had got into a difficulty with the surrounding country, and they might get out of it; for he would have nothing to do with it, or this was the answer that the messenger brought when he returned.

The messenger was a Mr. Caldwell, who owned a ferry on Grand river, about three miles from De Witt, and was an old settler in the place.

The citizens were completely besieged by the mob, no man was at liberty to go out, nor any to come in. The extremities to which the people were driven, were very great, suffering with much sickness, without shelter, and deprived of all aid either medical or any other kind, and being without food or the privilege of getting it, and betrayed by every man who made the least pretension to friendship; a notable instance of which I will here give as a sample of many others of a similar kind. There was neither bread nor flour to be had in the place; a steamboat landed there and application was made to get flour but the captain said there was none on board. A man then offered his services to get flour for the place; knowing, he said, where there was a quantity. Money was given to him for that purpose; he got on the boat and went off; and that was the last we heard of the man or the money. This was a man who had been frequently in De Witt during the siege, and professed great friendship. In this time of extremity a man who had a short time before moved into De Witt, bringing with him a fine yoke of cattle, started out to hunt his cattle, in order to butcher them to keep the citizens from actual starvation, but before he got but a little way from the town, he was fired upon by the mob and narrowly escaped with his life and had to return, or at least, such was his report when he returned. Being now completely isolated on every side, we could plainly see many men on the opposite side of the river, and it was supposed that they were there to prevent the citizens from crossing, and indeed a small craft crossed from them with three men in it, who said that that was the object for which they had assembled.

At this critical moment, with death staring us in the face, in its worst form; cut off from all communication with the surrounding country, and all our provisions exhausted, we were sustained as the children of Israel in the desert, only by different animals. They by quails, and us by cattle and hogs which came walking into the camp, for such it truly was, as the people were living in tents and wagons, not being privileged with building houses. What was to be done in this extremity? why, recourse was

had to the only means of subsistence left, and that was to butcher the cattle and hogs which came into the place, without asking who was the owner, or without knowing, and what to me is remarkable, is, that a sufficient number of animals came into the camp to sustain life during the time in which the citizens were thus besieged by the mob. This indeed was but coarse living, but such as it was, it sustained life.

From this circumstance, the cry went out that the citizens of De Witt, were thieves and plunderers, and were stealing cattle and hogs. During this time the mob of Carroll county said that all they wanted was that the citizens of De Witt should leave Carroll county and go to Caldwell and Davies counties. The citizens finding that they must leave De Witt, or eventually starve, finally agreed to leave; and accordingly preparations were made and De Witt was vacated. The first morning after we left, we put up for the night in a grove of timber. Soon after our arrival in the grove, a female who a short time before had given birth to a child, in consequence of the exposure died. A grave was dug in the grove, and the next morning the body was deposited in it without a coffin, and the company proceeded on their journey; part of them going to Davies county and part into Caldwell: This was in the month of October, 1838.

In a short time after their arrival in Davies and Caldwell counties, messengers arrived informing the now citizens of Caldwell and Davies, that the mob was marching to Davies county, with their cannon with them, threatening death to the citizens, or else that they should all leave Davies county. This caused other efforts to be made to get the authorities to interfere. I wrote two memorials, one to the governor, and one to Austin A. King circuit judge, imploring their assistance and intervention to protect the citizens of Davies against the threatened violence of the mob.—These memorials were accompanied with affidavits which could leave no doubt on the mind of the governor or judge, that the citizens before mentioned were in eminent danger. At this time things began to assume an alarming aspect both to the citizens of Davies and Caldwell counties. Mobs were forming all around the country, declaring that they would drive the people out of the state. This made our appeals to the authorities more deeply solicitous as the danger increased, and very soon after this the mobs commenced their depredations; which was a general system of plunder: tearing down fences, exposing all within the field to destruction, and driving off every animal they could find.

Sometime previous to this, in consequence of the threatenings which were made by mobs, or those who were being formed into mobs, and the abuses committed by them on the persons and property of the citizens; an association was formed, called the Danite band.

This, as far as I was acquainted with it, (not being myself one of the number, neither was Joseph Smith, Senior,) was for mutual protection against the bands that were forming, and threatened to be formed; for the professed object of committing violence on the property and persons of the citizens of Davies and Caldwell counties. They had certain signs and words by which they could know one another, either by day or night. They were bound to keep those signs and words secret; so that no other person or persons than themselves could know them. When any of these persons were assailed by any lawless band, he would make it known to others who would flee to his relief at the risk of life. In this way they sought to defend each others lives and property, but they were strictly enjoined not to touch any person, only those who were engaged in acts of violence against the persons or property of one of their own number or one of those whose life and property they had bound themselves to defend.

This organization was in existence when the mobs commenced their most violent attempts upon the citizens of the before mentioned counties, and from this association arose all the horror afterwards expressed by the mob at some secret clan known as Danites.

The efforts made to get the authorities to interfere at this time was attended with some success. The militia were ordered out under the command of Major General Atchison, of Clay county, Brigadier Generals Doniphan, of Clay, and Parks, of Ray county, who marched their troops to Davies county, where they found a large mob, and General Atchison said in my presence, he took the following singular method to disperse them. He organized them with his troops as part of the militia called out, to suppress and arrest the mob; after having thus organized them, discharged them and all the rest of the troops as having no further need for their services, and all returned home.

This however, seemed only to give the mob more courage to increase their exertions with redoubled vigor. They boasted after that, that the authorities would not punish them, and they would do as they pleased. In a very short time their efforts were renewed with a determination not to cease until they had driven the citizens of Caldwell and such of the citizens of Davies as they had marked out as victims, from the state. A man by the name of Cornelius